

Hawaiian Gazette.

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HONOLULU, H. T., FRIDAY, APRIL 22, 1904—SEMI-WEEKLY.

WHOLE No. 2835.

FLEEING RUSSIANS DROWN BY HUNDREDS IN THE YALU

Russia Threatens to Prey on Japan's Pacific Commerce—Japanese Spies Executed—Efforts to Keep Alexieff—Hatred of Americans and Englishmen.

(ASSOCIATED PRESS CABLEGRAMS.)

NEWCHWANG, April 22.—A messenger from the Yalu says that the Russians are fleeing across the river in overcrowded boats and that hundreds are drowning.

TO PREY ON PACIFIC COMMERCE.

ST. PETERSBURG, April 22.—The Admiralty intends outfitting fast ships to prey on Japanese commerce in the Pacific.

WANT TO KEEP ALEXIEFF.

ST. PETERSBURG, April 22.—Despite his relations with Skrydloff, pressure is being brought to bear to retain Alexieff as Viceroy.

SHOT JAPANESE AS SPIES.

HARBIN, April 22.—Two Japanese officers have been convicted as spies and shot.

JAPANESE SECRET SERVICE.

MUKDEN, April 22.—Spies in various disguises are hampering the Russians in Manchuria.

RUSSIANS TO ADVANCE.

PARIS, April 22.—It is reported that Gen. Kuropatkin has ordered an advance of the Russian forces in northeastern Korea.

A MUSCOVITE CANARD.

BERLIN, April 22.—There is much bitterness throughout Manchuria against Americans and British whose naval vessels it is claimed assisted the Japanese bombardments of Port Arthur under the Japanese flag.

AFTERNOON REPORT.

ST. PETERSBURG, April 21.—The Russian Government has issued \$15,000,000 currency against gold deposits in the treasury. It is estimated that the daily expense of the war to Russia will be \$750,000.

TOKIO, April 21.—Thousands of Japanese are applying at the army posts and War Office for permission to join the army and fight against Russia.

NEWCHWANG, April 21.—Viceroy Alexieff has established a strict censorship at Yinkow.

The foreign pilots here have received notice that if they assist Japanese ships they will be held subject to Russian martial law.

SEOUL, Korea, April 21.—Lieutenant McDonald and seventy privates of the Marine Guard stationed here to protect the American Legation have been ordered to Manila. The situation in Seoul is so quiet that there is no necessity for the guard to remain.

ST. PETERSBURG, April 20.—Admiral Alexieff has resigned the vice-royalty of Manchuria. The immediate cause of this act is the appointment of Admiral Skrydloff who is the late Viceroy's enemy, to command the Russian naval forces. It is also reported that Alexieff and Kuropatkin disagree about the conduct of the war. It has also been apparent lately that Alexieff was losing the confidence of the Emperor. The appointment of Skrydloff was made without consulting Alexieff, who recommended another. Alexieff will go to St. Petersburg before Skrydloff arrives at Port Arthur to avoid meeting him. Skrydloff told the Emperor he would not accept the naval command unless Alexieff was relieved as he attributed to his mistakes the reverses suffered by the Russians.



ALEXIEFF, THE RETIRING VICEROY.

PORT ARTHUR BATTLE RUMORED.

YINKOW, April 20.—It is reported that a battle is raging at Port Arthur.

RUSSIANS STRENGTHEN DEFENCES.

SEOUL, April 20. The Russians are hastily strengthening Chientiencheng.

CHINESE ARE RESTIVE.

SHANGHAI, April 20.—General Ma reports that the Russians are moving west of the Liao river and that it is difficult to restrain the Chinese from attacking them.

AFTERNOON REPORT.

LIAOYANG, April 19.—Skirmishes are of daily occurrence along the Yalu river. Very few on either side have been killed.

ST. PETERSBURG, April 19.—Admiral Skrydloff, who has been selected to succeed the late Admiral Makaroff in command of the Port Arthur squadron, arrived here today. He was greeted with the greatest enthusiasm by the people.

VLADIVOSTOK, April 18.—The city is in a state of excitement and the inhabitants are leaving in anticipation of more serious conditions when the land campaign opens.

It is claimed that General Kuropatkin has 300,000 men mobilized in the Manchurian strongholds ready to meet the advance of the Japanese.

PARIS, April 21.—General Kuropatkin awaits 100,000 more men before risking battle.

JAPANESE TRANSPORT LIGHTS SEEN.

ST. PETERSBURG, April 22.—General Kuropatkin has telegraphed the Emperor that the Japanese are intrenching on the Yalu. The lights of Japanese transports have been seen opposite Potima, twelve miles west of Takushan. It is believed the second Japanese army is preparing to land. Ships have also been seen near Sou-chou.

RUSSIANS IN KOREA.

TOKIO, April 21.—It is reported that 1000 Russians occupy Yanggan, in northern Korea. Cossacks have burnt a Japanese settlement at Sungjin.

AFTERNOON REPORT.

PORT ARTHUR, April 20.—The reported sinking of a Japanese cruiser in a recent fight and the damaging of two others is reiterated.

NEWCHWANG, April 20.—War correspondents have been allowed to proceed from here to Mukden.

ST. PETERSBURG, April 20.—No action has been taken yet in the matter of the resignation of Admiral Alexieff. Admiral Skrydloff had a conference with the Emperor today.

HAWAIIAN MATTERS AS TREATED BY CONGRESSMEN

The Franchise Bills—McClellan's Work—Carter Bill May Not Pass—The Revenue Cutter. Withington and Smith.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., April 9.—The program for Hawaiian legislation here is proceeding much better than many of those interested had hoped. Probably by the time this letter reaches Honolulu all the bills of pressing interest to the territory will be before the President for signature. That statement may prove optimistic but none the less signs all point that way now. The gas bill has passed the Senate and before many days Senator Foraker will apparently be able to pass the electric bill there. The House has granted a special rule for consideration of the franchise bills there and under that rule those bills will be probably called up and passed within a few days. There will be some differences to be adjusted in conference or otherwise but these should not be serious obstacles as matters of legislation generally go. Speaker Cannon was

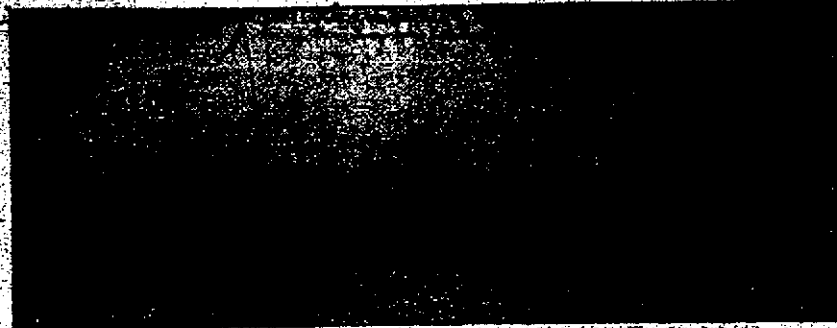
inclined to have the franchise bills called up during the suspension day of last Monday but friends of those bills were unwilling to risk as under suspension of the rules it requires a two-thirds majority to pass a measure. Hawaiian bills have failed too often in times gone by to make any of the Hawaiians or their representatives here desirous of repeating the experience.

The House during the past week has been considering the Philippine Shipping bill, which was passed yesterday, in the same form as it passed the Senate. Efforts to prolong the time before it should go into effect were unavailing and the bill will become a law with July 1, 1905, as the date when it shall go into operation. This defers for one year the disadvantages to the Hawaiian sugar growers which the law will impose but that is regarded as far better than a law going into operation immediately.

(Continued on page 5.)

BRITISH CRUISER MAY BOMBARD BLUEFIELDS

KINGSTON, Jamaica, April 22.—The British cruiser Retribution will sail for Bluefields on Tuesday to demand the release of six turtle schooners and their crews held by the Nicaragua authorities and to collect damages. Should it be necessary the Retribution will bombard Bluefields.



BRITISH CRUISER RETRIBUTION.

The six turtle schooners which may furnish an international incident, belong to a famous fleet of staunch craft owned by the people of the cayman Islands. The Cayman Islands are British territory and are near Jamaica in the West Indies. Almost the sole commerce of the Cayman Islanders is that of handling turtles secured by the islanders on the Nicaraguan and Honduran coasts. They are the turtle fishers-in-chief of the world. The green turtle soup esteemed by the Aldermen of London and by the patrons of the best restaurants in all the cities of the United States is placed upon the tables through the energy and daring of the Cayman turtle catchers on those Central American coasts. The fishermen carry their catches in schooners to Jamaica and from that place they are exported by steamer to the principal cities of the world. In the past there have been many clashes between the Cayman fishermen and the soldiers of Honduras and Nicaragua. The latter countries object to the big profits made by the Cayman fishermen and the latter can only force them to land their catches on the beaches.



THE PETROPAVLOVSK TURNING THE CORNER.

PANEL AGAIN EXHAUSTED

Fifty More Men for Murder Trial.

(From Wednesday's Advertiser.)
Another exhaustion of panel took place in the attempt to obtain a jury for the trial of Man Chong, for the murder of Policeman Mahelona, after the return of the first special venire of twenty-six names. Judge De Bolt ordered another special venire to issue, returnable at 10 o'clock this morning, for fifty additional jurors.

PACIFIC HEIGHTS CASE.
Judge Robinson yesterday, at the trial of the injunction suit of Charles S. Deaky vs. O. W. Booth, in which a reformation of mortgage of Pacific Heights is asked as well as the enjoining of the foreclosure by defendant, granted a continuance for the purpose of taking the deposition in San Francisco of R. D. Silliman, who drew the mortgage.

There was a warm argument. Before the continuance was granted, counsel for defendant offered to admit that W. A. Wall, surveyor, if called would testify as one of the affidavits maintained by the plaintiff. After the continuance for Silliman's testimony was granted, the offer relating to Wall was withdrawn. Cathcart & Milverton and Jos. G. Pratt appeared for plaintiff; J. Alfred Macgown and J. Lightfoot for defendant. Counsel are now engaged in preparing interrogatories and cross-interrogatories, which are to be forwarded to San Francisco by the steamer China's mail next week. It will take at least four weeks to get the return of the deposition.

REMOVAL OF CHILD.
Judge De Bolt has modified the decree of divorce in the case of Harriet Moon Smith vs. Millard M. Smith, so as to permit the plaintiff to take the child, George M. Smith, from the Territory of Hawaii to the State of California. There were several postponements of the hearing until the final hearing was had yesterday. Henry E. Highton for plaintiff; Henry Hogan for defendant. Counsel for the father objected to the order of the court.

DISCONTINUANCES.
The suit of Bishop & Co. vs. H. W. Schmidt, W. R. Castle, Jr., and E. H. Paris for \$15,000 on a note has been discontinued.

Kahalewai vs. Tong Yau, suit for \$1000 damages for malicious prosecution, has been discontinued.

The suit for restitution of leased premises brought by Julia Coblurn et al. against L. Ah Leong has been discontinued. The premises are situated at the maka ewa corner of Punchbowl and Queen streets.

A. A. de Mattos vs. Hawaii Land Co. was dismissed by Judge Robinson for want of prosecution.

PEARL HARBOR DREDGING CASE.
In the Pearl Harbor dredging case, Judge De Bolt has issued a commission, on the motion of plaintiff, to Edward Gray Stetson, San Francisco, to examine Lieut. W. H. Heuer of the U. S. Engineers, Lawrence Thompson, C.

A FAIR EXCHANGE.

Large sums of money are no doubt realized from simple speculation, but the great fortunes are derived from legitimate and honest business—where the goods furnished are worth the price they bring. Certain famous business men have accumulated their millions wholly in this way. Prompt and faithful in every contract or engagement they enjoy the confidence of the public and command a class of trade that is refused to unstable or tricky competitors. In the long run it does not pay to cheat or deceive others. A humbug may be advertised with a noise like the blowing of a thousand trumpets, but it is soon detected and exposed. The manufacturers of **WAMPOLE'S PREPARATION** have always acted on very different principles. Before offering it to the public they first made sure of its merits. Then, and then only, did its name appear in print. People were assured of what it would do, and found the statement truthful. To-day they believe in it as we all believe in the word of a tried and trusted friend. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. It aids digestion, drives impurities from the blood, and cures Anemia, Scrofula, Debility, Influenza, Throat and Lung Troubles, and Wasting Complaints. Dr. Louis W. Bishop says: "I take pleasure in saying I have found it a most efficient preparation, embodying all of the medicinal properties of a pure cod liver oil in a most palatable form." It is a scientific remedy and a food with a delicious taste and flavor. One bottle convinces. "You cannot be disappointed in it." Sold by chemists here and everywhere.

E. and W. R. Clark of Clark & Henry, plaintiffs. Counsel for the defendants, H. Hackfeld & Co., Ltd., and Castle & Cooke, Ltd., file a notice that they do not object to the order for a commission, also saying they will file no cross-interrogatories.

INSANE MAN'S ESTATE.
Father H. Valentin, guardian of Manuel Pedefozo, an insane person, has filed an inventory showing cash in Bishop & Co.'s bank, \$300; land at Maiki, \$300; total value, \$1500.

GOVERNOR IS PRAISED

Governor Carter went to Waiolua with Mrs. Carter after the adjournment of the Legislature, for a holiday in observance of the anniversary of their marriage. In the course of the day the Governor was the recipient of several congratulatory letters over the Legislature and the Republican convention.

HIS PATRIOTIC ATTITUDE.

One writer expressed himself as follows: "I congratulate you heartily on the success of both the Legislature and the convention. Both were splendid demonstrations of the capacity of our people for self-government. The Quinn resolution was a deserving tribute to your patriotic attitude in public and party affairs."

ENHANCED REGARD.

Another correspondent puts his congratulations in categorical form, thus: "Permit me to extend to you my congratulations upon the following grounds:

"1. Upon the handsome vote received by you in the Republican convention last night as delegate to the Republican National Convention.

"2. And, more important, upon the able manner in which you handled the extra session of the Legislature of the Territory, and upon the carrying out by the Legislature of your wishes.

"My congratulations on this last score should be the more welcome to you by reason of the fact that I was very much in doubt as to your wisdom in calling the Legislature together.

"Permit me in conclusion to say that I now know you to be a better man than I believed a short while ago, which is saying a great deal."

FAIR EXCHANGE.

A New Back for an Old One. How It is Done in Honolulu.

Sometimes the back aches with a dull, indescribable feeling, making you weary and restless; sometimes pain shoots across the region of the kidneys, and again the loins are so lame to stoop is agony. No use plastering or rubbing the back in this condition. You cannot reach the cause. To exchange a bad back for a new and stronger one, follow the example of this Honolulu citizen:

Mr. A. J. Cahill, of Fort street, this city, night watchman in the employ of Messrs. T. H. Davies & Co., Ltd., says: "Whilst a young man I was a sailor and at one time worked for the Inter Island service. I was, however, obliged to give up sea life on account of severe suffering from my back and kidneys. For this I had tried various remedies, but the one which restored me to health was Doan's Backache Kidney Pills—procured at Hollister's Drug Store. They relieved me completely after years of suffering. If any one desires further particulars he may apply to me. I am to be found at Van Dorn's Ship Chandlery, Fort street."

You should get the same medicine which helped Mr. Cahill. See that the full name **DOAN'S BACKACHE KIDNEY PILLS** is on the wrapper and refuse any imitation.

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

PHYSICIANS USE CARRIER PIGEONS.

Country physicians in many instances have adopted the use of pigeons as messengers. A physician raises a loft of carriers, and when he visits a patient four or five miles away he carries with him a basket containing one of his birds. If dangerous symptoms arise in the night or the following day the pigeon is released with a message. Some physicians with long country routes carry half a dozen or more of these pigeons on their rounds and leave one at each place. A daily report of the different cases can thus be obtained by pigeon service. This service has also been extended on large Western farms. Some farmers receive daily reports of the markets from the city in this way when there are no telephone or telegraph wires to send the messages. All that is required is a trip to the city once a fortnight to carry back the birds and some one in the city to write the reports and release the pigeons.

THE SCRATCH OF A PIN may cause the loss of a limb or even death when blood poisoning results from the injury. All danger of this may be avoided, however, by promptly applying Chamberlain's Pain Balm. It is an antiseptic and unequalled as a quick healing treatment for cuts, bruises and burns. For sale by All Dealers. Benson, Smith & Co., Ltd., Agents for Hawaii.

Wireless telegraphy has made the use of pigeons for war purposes superfluous, and the extensive pigeon lofts in the military and naval services of European nations probably will soon become useless.

LEGISLATURE CLOSES ITS SPECIAL SESSION

Governor Carter Signs All Bills and Resolutions Placed in His Hands—Congratulations and Cheers.

(From Wednesday's Advertiser.)

Yesterday's session of the Senate was compared to an Egyptian labyrinth, there were so many recesses in it. An object lesson against hasty legislation was found at about the 59th minute of the closing hour of the Legislature. This was an error in designating a section of a law being amended, as the bill for that purpose came from the House, which if it had not been detected by the eagle eye of Senator Dickey would have made "ducks and drakes" of that particular enactment. Mutual congratulations passed between both chambers and between them and the executive, over the successful completion, upon the twelfth day, of the business for which the special session was called. This exceeded most promises on the part of legislators who favored the call and agreeably disappointed the forebodings of many citizens. The Senate went out amidst the aroma of verbal bouquets, the House with vociferative cheers as well as rhetorical fiesta. Like the House, the Senate left a goodly unexpended balance of its expense appropriation.

Within the twelve days the Legislature passed fourteen bills which are now law, two joint resolutions and one concurrent resolution. As every measure passed through the hands of committees in both houses, some more than once, the record is very creditable.

THE SENATE.
After meeting at 9 o'clock yesterday morning, the Senate found nothing before it and took a recess till 10 o'clock.

MESSAGES.
On resuming a letter from Secretary Atkinson was received, stating that the Governor had signed Act 8, amending Sec. 5 of Act 42, Laws of 1903, and Act 10, repealing Chap. 19, P. O. Laws.

The House by letter reported it had sustained the Governor's veto of House resolution No. 1, and passed the following resolution No. 3: "Whereas, The Legislature of the Territory of Hawaii has been convened in special session to consider the serious financial condition of the Government; and,

"Whereas, the people of the Territory have expressed themselves in favor of county government; therefore,

"Be It Resolved, That a commission

REPUBLICAN DELEGATES WILL LEAVE HERE ON MAY 31

Hawaii's Republican delegation to the National Republican convention, to be held in Chicago on June 21, will leave Honolulu for San Francisco on the Oceanic steamship Ventura on May 31. This much of the journey has already been decided on, although Governor Carter has intimated that he may be compelled to leave prior to that date to attend to business in Washington before the convention assembles.

Secretary Hoogs of the Territorial Central Committee hopes to keep the delegation together that it may go in a body to Chicago.

Mr. Hoogs looks upon the journey of the delegates in a body as a means of indirectly advertising the Islands. Mr. Breckons has intimated also that he may leave ahead of time, but if popular sentiment obtains the delegation will keep together. The Californian delegation will probably go in a body, and Mr. Hoogs sees no reason why the Hawaii delegates cannot do the same.

Should his plan be followed the car in which the members travel will be decorated with a streamer announcing that the Hawaiians are on the train, and there will probably be a large quantity of advertising matter on the car for distribution along the line.

Railroad officials have already been written to asking them to pave the way with reduced rates, etc., for the delegation.

Governor Carter will shortly call a meeting of the delegates to arrange plans for the coming trip.

It is reported that of the alternates Rev. Stephen L. Desha may not accompany the party to Chicago.

LOCAL DEMOCRATS MAY NOT INSTRUCT THEIR DELEGATES

In spite of the cable news from New York that the New York State convention of the Democrats pledged itself to Judge Parker for the Presidency, local Democrats may not instruct their delegates to the St. Louis convention either for Parker, Hearst or any one else. In all probability the delegation will go uninstructed so that it may be free to act in case a "dark horse" comes into view.

Col. C. J. McCarthy, former chairman of the Democratic Central Committee, when asked yesterday concerning his views on the New York pledge, said:

"I am and have been a Parker man, but I do not believe it would be wise for the delegation from Hawaii to be instructed to vote for Parker. There is no telling just which way the cat will jump, as, after all, Parker and Hearst may be consigned to the background. Should our delegation be instructed for Parker and policy should dictate the nomination of an outsider, our delegation would be in a hole.

"From all that I know of the New York convention, the up-country delegations were probably instructed for Parker, but the real voting is done down in lower New York, where Tammany would have most of the say.

"I am not a candidate for delegate, as I cannot afford to leave my business to go to St. Louis."

Senator Palmer Woods, the "lone Democrat" of Hawaii, said yesterday that he would prefer the Hawaiian delegation go to St. Louis uninstructed, leaving it free to act in case an outsider should be more favorably considered than Parker or Hearst.

The Democratic convention date has not been set. The rules have been prepared by a committee and are now being typewritten. Chairman Fred Turrill may shortly issue the call for the convention. It is understood that Prince David Kawanakoa for Oahu, Ben Lyons of Maui and Senator Palmer Woods of Hawaii, will surely be selected as three of the six delegates.

of five be appointed by the Governor to draft a County Act, the members thereof to serve without pay. And that such Act so prepared and such expenses as may be incurred by them, with the approval of the Governor, be submitted to the next regular session of the Legislature."

Mr. Dickey moved that the resolution pass.

Mr. Paris did not believe in leaving the expenses open. Neither did he believe in having the members serve without pay. It was a serious piece of work and the Commissioners should be paid. He believed in putting a limit on the expenses as the Senate resolution did.

Mr. McCandless moved to defer action.

Mr. Achi moved to insert an amendment, "if paid at all, not to exceed \$1500, and expenses not more than \$1000."

Mr. Paris said if they went on amending they would get all tangled up.

The matter was deferred.

A message from the House intimated its concurrence in the Senate amendments to House bill No. 6.

Then another recess of ten minutes was taken.

COUNTY RESOLUTION.

The Senate took up House resolution No. 3.

Mr. Paris moved the resolution pass. Mr. Dickey moved to insert the amendment, "two to be nominated by the Senate and two by the House." ("Ah-h-h!" by Mr. Paris.) The mover said the Governor preferred that the houses nominate the Commissioners. He had asked the Governor about it that morning.

Mr. Paris—"I do not believe in that. The Organic Act puts the responsibility on the Governor, and let him not shirk it."

Mr. Brown, speaking in Hawaiian, agreed with the previous speaker.

There was no second to the amendment, and the resolution passed on the following vote:

Ayes—Achi, J. T. Brown, Crabbe, Dickey, Kaine, Kalanokalanui, McCandless, Nakapahu, Paris, Wilcox, Woods—11.

THE LAST THROES.

President Crabbe—"I believe that is all the business before the Senate."

Mr. Dickey moved that the House be notified that the Senate is ready to adjourn sine die.

At this point Vice Speaker Knudsen, Mr. Fernandez and Mr. Long came in and, being given audience, announced themselves as a special committee of the House of Representatives to announce that the House was ready to adjourn, and to request the Senate to appoint a corresponding committee with them to inform the Governor that the Legislature in special session was ready to adjourn.

This was evidently too sudden, for the Senate took another recess.

HOUSE WAS PREVIOUS.

A communication was received from the House at 11:05, which indicated that it had not been quite ready to adjourn when it had said it was. The letter intimated that the House had receded from its action on Senate bill No. 13, to amend Act 48, Laws of 1899. In another letter it told of new amendments it had passed to the bill.

Mr. Dickey pointed out a mistake in the amendment, as it referred to the wrong section.

Another recess was taken and President Crabbe asked somebody to telephone steamer companies to hold the Kinau and the Mauna Loa for the Maui and Hawaii members half an hour.

Vice President Paris in the chair, a corrected message was received from the House, whereupon by the vote of the ten members now present Senate bill 13 as amended by the House passed. The title is amended and Sec. 2 made to read as follows:

"No money shall be obtained on such account or accounts except by draft of the Treasurer, countersigned by the Auditor and approved by the Governor."

HILLO PARK RESOLUTION.

The Hillo Park joint resolution, laid on the table Monday, was taken up.

Mr. Dickey moved, seconded by Mr. Wilcox, that action on the resolution be deferred until next regular session.

President Crabbe resumed the chair. The resolution was declared carried on a show of hands, Mr. Achi having secured an amendment making it a concurrent instead of a joint resolution. So the park's name was voted to be "Mooheau," after Admiral Geo. C. Beakley of Wilder's fleet.

Mr. McCandless insisted on his amendment to call the park after Senator J. T. Brown, which was put and lost, Mr. Achi raising a laugh by protesting the vote of Mr. Brown because he was interested in the question.

THE SENATE ACCOUNTS.

Mr. Paris presented the following report of the Committee on Accounts, signed by himself and Mr. Kaohi, Chairman Isenberg being absent on leave, which was adopted:

"Your Committee on Accounts beg leave to report that the expenses of the special session have been as follows:

Compensation of members.....	\$3,000.00
Mileage.....	218.20
Salaries of officers.....	245.00
Typewriting, printing, etc.....	165.25
	\$3,628.45

leaving a balance of our appropriation of \$1,370.55.

"Out of this amount there will have to be paid the expense of printing the Journal and the extra days allowed the clerk."

NOT A NATIONAL COMMITTEE.

The Hawaiian National Committee, Messrs. Paris, McCandless, Kalanokalanui as the committee to inform the House committee in the name of the Governor that the Legislature is ready to adjourn.

MEMBERS LISTED.

A list of the members of the Hawaiian Legislature in special session of the Senate and House of Representatives of the Territory of Hawaii, convened at Honolulu, Hawaii, on May 12, 1904, is as follows:

NEW TRIAL IS ORDERED

Judge Little Reversed by Supreme Court Majority.

(From Wednesday's Advertiser.)

Plaintiff's exceptions to Judge Little's judgment for defendant in the suit of T. K. Lalakea vs. the Hillo Sugar Co., Ltd., are sustained by Chief Justice Frear and Justice Perry, the latter writing the court's opinion. The judgment is set aside and a new trial ordered. Justice Galbraith dissents in an opinion at length. Smith & Parsons for plaintiff; Wise & Ross for defendant.

The trouble started with a mortgage of cane growing on a three-acre tract, executed by Sing Kee and Chan Choon to W. D. Schmidt to secure payment of a note of \$450. Nearly four months later Chan Choon, who had bought out Sing Kee, gave Lalakea a mortgage on his interest in the land and on the growing cane as security for a note for \$300. About ten months later still Chan Choon abandoned the premises and left the Territory and has not been heard of since by the lessors. Six months' rent had then become due and unpaid. Kapu, owner of the land, took possession of the premises the following month, claiming a forfeiture of the lease, and the same month executed a lease to the plaintiff of the same land for five years from the first of the next month. Lalakea also claimed to have entered and taken possession under his mortgage. Schmidt without entering foreclosed his mortgage by publication of notice and the Hillo Sugar Co. claimed to have bought the cane at the sale under this foreclosure.

The present action is for the value of the cane so taken by the defendant. Judge Little's judgment for the defendant, the Hillo Sugar Co., was based wholly upon the view that the Schmidt mortgage and the foreclosure proceedings thereunder were valid and that the defendant acquired title to the cane not from the plaintiff but through the foreclosure sale.

The reasons why the Supreme Court decides that the judgment was not right are sufficiently well revealed in the following syllabus of opinion:

"An unrecorded chattel mortgage is not valid or binding to the detriment of third parties."

"The registry of a chattel mortgage not entitled to be recorded is a nullity."

"Actual knowledge of the existence of a chattel mortgage is not a substitute for recording."

"It is a prerequisite to the valid registry of a chattel mortgage that the acknowledging officer endorse on such mortgage a certificate of the fact of acknowledgment."

"A certificate that on a day named personally appeared before me Chan Choon and Sing Kee, known to me to be the persons described in, and who executed the foregoing instrument who executed the same freely and voluntarily and for the uses and purposes therein set forth, does not state the fact of acknowledgment and is for that reason insufficient and invalid."

"Testimony of the acknowledging officer to the effect that the parties did in fact acknowledge before him the execution of the instrument can not cure the defect and is inadmissible to aid the certificate and to support the validity of the registry and mortgage."

Justice Galbraith concludes his dissenting opinion in the following words: "It certainly could not have been the intention of the legislature to declare an unrecorded mortgage void between the parties or as between the parties and others without interest in the property or between a first and second mortgage, the latter having notice of the first mortgage. The legislators are presumed to have known that the object of recording instruments is to give notice and that notice may be given aside from the record and that the notice given by one method is just as effective as the other and ought not to be held, in the absence of plain words to that effect, to have intended by this statute to make recording the exclusive method of giving notice of the existence of chattel mortgages, etc. While the statute is not happily worded I am inclined to think that it was not intended to do more than is accomplished by most statutes providing for the registration of written instruments, namely, to provide that the interest of no one in property should be prejudiced by an unrecorded instrument of which he had no actual notice."

Russian Fleet Has Seldom Fought.

In the nature of things, Russia's present condition would subject her naval concerns to critical attention the world over. While her sea power was brought to trial, it might pass for a pretended to be; not so when it was in the balance of action and war. A writer in a London paper points out that the Russian fleet has seen no fighting with the British fleet in two centuries past—since the battle of Pater the Great. It is a long time up to recent years that the Russian fleet has been comfortably on shore, and the trip about the coast of the Baltic to the Mediterranean is a mere formality to qualify for the rank given to the fleet of all efforts in naval warfare. The fleet is composed of two main parts: a main body of ships and a reserve fleet. The main body is composed of ships of the line, cruisers, and torpedo boats. The reserve fleet is composed of ships of the line, cruisers, and torpedo boats. The fleet is commanded by the Emperor's personal admiral, the Grand Admiral, who is assisted by the Chief of the Navy, the Minister of the Navy, and the Chief of the Naval Staff. The fleet is divided into three main branches: the Baltic Fleet, the Black Sea Fleet, and the Pacific Fleet. The Baltic Fleet is the largest and is based at Kronstadt. The Black Sea Fleet is based at Sevastopol. The Pacific Fleet is based at Vladivostok. The fleet is the pride of the Russian Empire and is the mainstay of its naval power.

THE RUSSIAN DISASTER TOLD

Some Particulars of Makaroff's Loss.

ST. PETERSBURG, April 13.—It is rumored here that fighting off Port Arthur was resumed this afternoon. Admiral Prince Ukhtomsky, acting commander of the Port Arthur fleet, being engaged with eighteen Japanese vessels. Admiral Molas was among those killed on the Petropavlovsk. At the moment of the explosion an aid shouted to the Grand Duke Cyril to jump into the sea. The aid was killed. The total Russian loss is estimated at 700.

LONDON, April 13.—The Times prints a dispatch dated "Off Port Arthur," and sent by wireless telegraph to Wei-hai-wei, which says: "The Japanese torpedo boats attacked Port Arthur early Wednesday morning. The fleet is now shelling the forts. The bombardment began at 9:45 o'clock in the morning."

In another dispatch the correspondent says: "At 4:30 this morning in the dim light and amid rain squalls I saw a squadron of war ships in line ahead steering a course similar to our own. It proved to be a Japanese squadron of six battle-ships, followed by the first-class cruiser squadron. The six ships were in line ahead, the third and fourth vessels being the Kasagi and Nisim, which were making their first appearance in the fleet. The Mitsika was leading. They were shaping a course for Port Arthur. Forty miles distant from port the battle-ships drew out at full speed and the Kasagi and Nisim left the cruisers and joined the battle-ships, the other cruisers remaining behind. The interval between them was maintained by the destroyer division and a dispatch-boat. As we neared Port Arthur we found two first class and four second class cruisers already there. This squadron had covered the torpedo-boat attack, which was made in the small hours of the morning. The battle-ships now hoisted fighting flags and steamed in formation, the Mitsika leading and the new ships bringing up the rear to within six miles of Port Arthur's frowning promontory."

BATTERIES OPEN FIRE.

"At 10:30 o'clock the shore batteries opened fire, but the fire was only desultory and it seemed as though Admiral Togo was making a demonstration rather than a bombardment. Three times his fighting squadron circled around in front of the enemy's position, drawing a desultory fire, and at noon Togo withdrew the battle-ships to the south. It was inspiring to see how the powerful squadron of fighting machines maneuvered. The battle-ships went boldly in, while the less protected vessels maneuvered with them, conforming to their evolutions at a safer distance."

"Later, although I went closer to Port Arthur than I had ever before, I saw no sign of any Russian ships. The shells which fell nearest to us exploded on impact with the water. The Japanese maneuvering was at eighteen knots an hour. As far as I could see they suffered no damage. The expenditure of ammunition was small. It was a magnificent force, the most powerful individual fleet, indeed, which ever sailed the Eastern seas. Including torpedo craft, there were forty Japanese vessels."

SAYS TORPEDOES STRUCK SHIP.

ROME, April 13.—A Chefoo correspondent of the Agenzia Libera telegraphs: This morning Admiral Makaroff made a sortie from Port Arthur with the whole squadron to attack the entire Japanese fleet, which was concealed at the back of Miaokoa islands. Seeing how he had been trapped Makaroff attempted to get back to Port Arthur, but the Japanese war ships being much speedier than the Russians, cut off the retreat and he was forced to fight a battle against enormous odds. The result of the engagement was disastrous to the Russians, who had all their ships damaged, while the battle-ship Petropavlovsk, while surrounded by torpedo-boats, was struck by no fewer than five torpedoes and blown up.

RUSSIA GETS THE NEWS.

ST. PETERSBURG, April 13.—Reverend Father, who was in the city at the time of the disaster, has just received news from the front. He says that the Japanese fleet was seen on the 12th inst. at Port Arthur, and that the Russian fleet was engaged with them. The Russian fleet was defeated, and the Japanese fleet was victorious. The Russian fleet was defeated, and the Japanese fleet was victorious.

saved, among them being the Grand Duke Cyril, who was wounded. The dispatch also gave the information that Vice Admiral Makaroff was killed and that the total loss of life was nearly 700. The first telegram received by Grand Duke Vladimir said briefly that Grand Duke Cyril had been wounded and the Petropavlovsk had been lost, without mentioning a fight.

It was further reported that a naval battle was progressing off Port Arthur, the result of which was unknown.

Vice Admiral Makaroff ordered his whole squadron out of the harbor to meet the attack, and while preparing to draw up his line of battle in the outer roadstead the Petropavlovsk struck a mine on her starboard side amidships and immediately began to heel. Before the crew could flood the port compartments of the vessel in order to keep her on an even keel, she turned turtle and sank in a few minutes, carrying down almost the entire crew. Captain Njakovloff, the Grand Duke Cyril and two other officers were saved because they were standing on the upper bridge. The frightful loss of life among the officers and men was due to the fact that they were all at their stations ready for action.

The Petropavlovsk turned turtle in a manner similar to the British battleship Victoria, which was rammed by the Camperdown in 1893, and to the incident in the China-Japanese war when a Chinese war ship turned turtle, many of the crew remaining alive for several days hammering desperately on the upturned hull.

OFFICIAL REPORTS.

The following official dispatch has been received here from Rear-Admiral Girkorovitch, the commandant at Port Arthur, addressed to the Emperor: "PORT ARTHUR, April 13.—The Petropavlovsk struck a mine, which blew her up and she turned turtle. Our squadron was under Golden Hill. The Japanese squadron was approaching. Vice-Admiral Makaroff evidently was lost. Grand Duke Cyril was saved. He was slightly injured. Captain Njakovloff was saved, though severely injured, as were five officers and thirty-two men, all more or less injured. The enemy's fleet has disappeared. Rear-Admiral Prince Ukhtomsky has assumed command of the fleet."

The following dispatch to the Czar has been received from Viceroy Alexieff:

MOUKDEN, April 13.—A telegram has just been received from Lieutenant-General Stoessel, commander of the military forces at Port Arthur. I regret to report to your majesty that the Pacific fleet has suffered an irreparable loss by the death of its brave and capable commander, who was lost, together with the Petropavlovsk.

Another dispatch, from Viceroy Alexieff to the Czar, says: "According to reports from the commandant at Port Arthur, the battle-ships and cruisers went out to meet the enemy, but owing to the enemy receiving reinforcements, making his total strength thirty vessels, our squadron returned to the roadstead, whereupon the Petropavlovsk touched a mine, resulting in her destruction. Grand Duke Cyril, who was on board, was saved. He was slightly injured. The whole squadron then re-entered port. The Japanese are now off Cape Liao Shan. No reports had been received from the acting commandant of the fleet up to the time this dispatch was sent."

EMPEROR SHEDS TEARS.

PARIS, April 14.—The Echo de Paris's St. Petersburg correspondent says that the Emperor, when reading the dispatch from Rear-Admiral Girkorovitch, commanding at Port Arthur, announcing the loss of the Petropavlovsk, turned pale. He was much moved, and did not speak for several minutes. Then he asked a lady in waiting to inform the Empress, who burst into tears.

The Emperor ordered the news made public immediately and commanded the commission of censorship to communicate the dispatch to the newspaper correspondents. He next sent for his confessor to celebrate a requiem. His majesty said:

"God has willed that the Yenesci should perish by touching a mine, and that the Boyarin should be damaged. Now, providence, whose designs are inscrutable, has willed also to deprive us of the Petropavlovsk and the brave men aboard her."

HEARTBREAKING, SAY THE RUSSIANS.

ST. PETERSBURG, April 13.—The awful disaster to the battle-ship Petropavlovsk at Port Arthur, with the loss of almost her entire crew of over 600 men and the death of Vice-Admiral Makaroff, has been a terrible blow. It would have fallen less heavily if the ship and the commander in chief of the fleet had been lost in battle, but to be the result of another accident, following upon the heels of a succession of tragedies of which the Port Arthur fleet has been the victim, has created something like consternation.

"Reverses we can endure," said a prominent Russian, "but to have the Petropavlovsk meet the fate of the Yenesci and the Boyarin is heart-breaking."

Besides, it has just become known that the battle-ship Poltava, several weeks ago, had a hole rammed in her by the battle-ship Sevastopol while the latter was maneuvering in the harbor of Port Arthur.

The day has been one of intense excitement in St. Petersburg. The first inkling of the catastrophe leaked out on the receipt of a telegram from Grand Duke Vladimir from his son, Grand Duke Boris, announcing the loss of the Petropavlovsk and the wounding of Grand Duke Cyril, who was first officer. Grand Duchess Vladimir was almost frantic on the receipt of the telegram, being convinced that the message was only a precursor of worse news, as it was signed by Grand Duke Boris, instead of by the aid to Grand Duke Cyril, Lieutenant Vonkurbe. Lieutenant Vonkurbe had come down with the ship. The young son of Grand Duke Vladimir, Grand Duke Andrew, hurried to the Winter Palace, the Admiralty and the Ministry of War, and arrived later in a great state of excitement. Rear-Admiral Girkorovitch, the commandant at Port Arthur, was also in the city.

MEMORIAL SERVICE FOR THE LATE PAUL ISENBURG



THE LATE PAUL ISENBURG.

The Garden Island of Lihue, Kauai, publishes a very complete account of the ceremonies attending the unveiling of the Isenberg memorial. The Kapala band played a number of beautiful selections, showing great improvement.

The program as carried out was as follows:

KAPALA BAND.

1. Selection.....Coney's Orchestra
2. Solo.....Mr. Vaughan
3. Piano Solo.....Miss Mabel Wilcox
4. Solo.....Mr. Paul Isenberg
5. Selection.....Maser's Glee Club
6. Solo.....Mrs. W. H. Rice
7. Mr. Isenberg and Orchestra
8. Solo.....Mr. Paul Isenberg
9. Quartette.....Maser's Glee Club
10. Solo.....Mr. De Lacey
11. Selection.....Orchestra

The Garden Island says:

Everything was in order for the ceremony of unveiling by Thursday night. The plot of ground inside of the stone wall, topped by the neat iron fence, was decorated with flags suggestive, though not exhaustively so, of the various nationalities who had contributed to the fund. Four poles rose round the memorial stone to which was hung the curtain that was to fall at the proper moment. In front and to one side was a raised pulpit from which the speakers of the day were to address the surrounding multitude; this was draped with a German flag. The green background provided naturally by some hau bushes was made continuous to the left by a row of palm branches, and as seen from the post office the distant mountain range completed a very beautiful picture.

In spite of the gloomy anticipations of the previous evening, the day broke fair and clear, soft sunshine was over the scene.

By 10 o'clock there was much coming and going of people about post office corner and by the hour appointed 11:30, there was a large assembly of spectators in holiday attire. Every point that gave a good view of the ceremony was seized, and every one wore an expectant look. Only a few people more immediately connected with the ceremony were within the inclosure making necessary preparations. Suddenly the attention of the multitude was attracted by a procession of Chinese led by Mr. Ah Chuck of Kapala bearing numerous gifts consisting of cakes piled pyramidal fashion, fire crackers and last and certainly not least a finely cooked pig, laid on a board slung on a pole borne by two stalwart Chinese. No one could be other than moved by this singular and spontaneous gift. It was an evident token of the genuine regard our Oriental friends had for the late Mr. Isenberg and for the Isenberg family. The gifts were gracefully accepted by Mrs. Isenberg on behalf of her family, and a large number of friends having come within the enclosure, the ceremony began with the Kapala band playing "Deutschland, Deutschland, über alles."

Mr. A. S. Wilcox made a few touching remarks on his acquaintance with the deceased concluding as follows:

One feature about it I appreciate more than anything else is that the poor people have contributed to it. If you look at the list of contributors, you will see there many people of moderate means and many of those who gave their quarters and half dollars who could not well afford to be without them. That can tell in what earnest they were. It was simply re-enacting the old Bible story of the widow and her mite. The impressions he made on the hearts of those who knew him are true monuments, but this will tell to our successors the story we know so well today. Now that he is gone and that we cannot have him back with us, we have to bow in resignation to the great father; we should continue to love him for his many noble and Christian traits and in his memory we shall ever be ready to pay a tribute to his noble record of honor and justice and manhood.

Mr. Maser's Glee Club then sang a beautiful song at quiet endeavor after right and duty.

Mr. Paul Isenberg said: Ladies and gentlemen, in the name of my dear good father's friends, in the name of the citizens of this beautiful Garden Island I will now unveil the monument. The cords upholding the screen were then severed and the monument was now seen in its completed form. In the upper portion of the huge rock had been placed a bronze relief portrait bearing the inscription—"1837, April 15—Paul Isenberg, 18th January, 1904," and another oblong bronze lower down on the rock has the words "Erected in loving memory by his Kauai friends, April 18, 1904. The portrait is excellent the closer one examines it. Around the base were disposed a number of wreaths and bouquets.

Remarks were made also by J. F. Hackfeld, Mr. Webber, Judge Kahale and Paul Isenberg.

Senator Isenberg said: I am proud that the honor was given me to appear before you today and to thank you in the name of the Isenberg family for what you have done. To me, my dear fellow citizens of this island, it seems that I can say the only words I know "Thank you," and not for myself only, but for my dear mother and sisters. If the truth was known amongst you, no words of appreciation could tell you the man in our hearts for erecting this beautiful monument to my dear good father. It proves to me, fellow citizens, that these good words—I have often thought of it—should be the motto of Kauai, "Love and good fellowship."

I not only want to thank you, fellow citizens, for what you have done, but I also in the name of the Isenberg family want to thank those who have spoken such beautiful words today. I want to take this opportunity here of thanking the press; it is no more than right that I should here publicly thank them in the name of my mother, brothers and sisters for the beautiful remarks that they made when father passed away. And one thing more; never will I forget what was said to me, when the news came, by a friend, "My boy, there is only one thing I can say: your father was a good man."

Fellow citizens, I hope and pray each of his sons will follow in his footsteps, and I hope and pray every young man living here will follow in his footsteps.

Singing of Hawaii Pono! and Star Spangled Banner by the Kapala band brought the ceremony to close.

Twenty pigs and four bullocks were used in the luau, besides an enormous quantity of fish, sweet potatoes and other supplies.

Twenty-nine recommendations for hotel, restaurant and lodging house licenses were made. The accommodations in these were for 1675 adults who might lawfully be lodged therein. Seventeen held-over licenses were issued, the capacity being for 2463 adults. Two are still held over from previous months and five from March.

Seventy inspections of graves were made. In Kawaiahaeo cemetery the edges of two coffins were exposed on account of the caving in of sand. In the digging of a grave in the Catholic cemetery on March 7 three bodies were dug up. The case was referred to the acting Attorney General for action.

Two burials in Waikiki cemetery were in 18 inches and two feet of water respectively, and one in the Catholic cemetery was in 18 inches of water.

Dr. Pratt was a witness at one corner's inquest and with Dr. J. T. McDonald investigated a death at Moanahu.

The new markets of the Live Fish Co. were inspected and a number of changes were required to be made. Pigeons were inspected in company with an inspector and recommendations made.

Other inspections numbered 570.

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STATEMENT OF PROFIT AND LOSS

ACCOUNT.

For the Year 1903.

CREDITS.

Net returns from sale of Sugar as shown by the Summary of Sugar Account.....\$1,901,297.54
Net Sundry Profits.....154,093.44

\$2,055,390.98

DEBITS.

Cost of Crop as shown in statement of Operating Expenses.....\$1,886,742.10

Net Profits for the year

1903.....\$ 688,648.88

The above are the Net Profits after having written off \$199,010.23 for Depreciation, as per page 14 of this Report. The Profit otherwise would be \$688,648.88 plus \$199,010.23 equals \$887,659.11.

TRUSTEESHIP MAINTAINED

(From Thursday's Advertiser.)

Justice Perry writes the unanimous opinion of the Supreme Court in the contest of the validity of Henry Smith's incumbency as trustee of the estate of Robert William Holt, whose will was admitted to probate on July 26, 1892, the testator having died on the 6th of the same month in that year.

The nature of the case has been repeatedly set before readers of the Advertiser. After reviewing the facts and contentions pro and con in ten typewritten pages the court decides thus: Judge Gear's order, appointing C. A. Long administrator de bonis non, "is reversed and set aside and the cause is remanded to the Circuit Judge with directions to deny the petition of J. F. Colburn praying for such appointment."

C. W. Ashford for J. F. Colburn and C. A. Long; Holmes & Stanley for Bruce Cartwright; Hatch & Ballou for Henry Smith; Smith & Lewis and L. J. Warren for certain of the beneficiaries. The law of the case is as follows:

A was at the time of his death administrator with the will annexed of the estate of H. A petition for the appointment of B as "trustee" of the said estate "in the place and stead of" A, "lately deceased," and an order of court, made in reference to such petition, that B be appointed "trustee" of said estate, construed to be respectively a petition and an order for the appointment of B as administrator with the will annexed of the said estate, and letters of administration issued in pursuance of such order held to be valid.

The petitioners for such appointment, having appeared and submitted themselves to the jurisdiction of the court, and their successors in interest are bound by the proceedings had, even though it be assumed that there was no publication of notice to parties interested and that such publication was required by rule of court.

A resignation by B "as such trustee," and the acceptance thereof held, under the circumstances of this case, to be a resignation of his office as administrator with the will annexed, and the appointment of B "as trustee to succeed" B "in the trust under the will of" H "deceased," held to constitute B administrator with the will annexed of the said estate.

Another decision relative to the same matter dismisses a petition for a writ of prohibition brought by Cartwright and Smith against Judge Gear and Long, the dismissal being without prejudice and on account of the necessity for the writ becoming non-existent through the decision above reported.

CITY SANITATION DONE IN MARCH

Dr. J. B. Pratt, city sanitary officer, in his report for March tells of nine complaints of nuisances. Where they proved to exist they were abated. Inspector Nisher, district No. 4, arrested a Chinaman for committing a nuisance, who was fined \$2 and costs of court.

Twenty-nine recommendations for hotel, restaurant and lodging house licenses were made. The accommodations in these were for 1675 adults who might lawfully be lodged therein. Seventeen held-over licenses were issued, the capacity being for 2463 adults. Two are still held over from previous months and five from March.

Seventy inspections of graves were made. In Kawaiahaeo cemetery the edges of two coffins were exposed on account of the caving in of sand. In the digging of a grave in the Catholic cemetery on March 7 three bodies were dug up. The case was referred to the acting Attorney General for action.

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Dr. Pratt was a witness at one corner's inquest and with Dr. J. T. McDonald investigated a death at Moanahu.

The new markets of the Live Fish Co. were inspected and a number of changes were required to be made.

Pigeons were inspected in company with an inspector and recommendations made.

Other inspections numbered 570.

TWO JURORS YET NEEDED

Defense Has One Challenge Yet Coming.

(From Thursday's Advertiser.)

At the adjournment of court yesterday afternoon there were ten jurors passed for cause in the empanelling of a jury to try Man Chong for the murder of Policeman Mahelona. The panel of jurors was exhausted and another special venire, the fourth one issued, was in the hands of the High Sheriff, calling for twenty-five men and returnable at 10 o'clock this morning. One challenge remained for the defendant to exercise, the prosecution having exhausted all of its challenges.

It is unusual to have less than eleven men in the box when a panel has been exhausted, because a challenge cannot be exercised until there are twelve men sitting. In this instance, when the number had been reduced to eleven by a challenge of the defendant's, E. B. Bath, who had passed for cause, asked to be excused on account of pressure of business, a portion of which was a contract on the reformatory school. Judge De Bolt excused him but told him it would be the last time he would excuse him for that cause.

There are therefore two new jurors to be passed, without counting on the exercise of defendant's remaining challenge. The ten men in the box are Jas. Bicknell, Percy Lishman, C. J. Falk, Sam. E. Pierce, Henry Gehring, Joe. J. Dias, E. R. Macfarlane, Jr., John C. Lane, Levi K. Nakea, Jas. W. L. McGuire.

THE DREDGING SUIT.

H. Hackfeld & Co., Ltd., by their attorneys, Kinney, McClanahan & Cooper, and Castle & Cooke, Ltd., by their attorneys, Castle & Withington, yesterday filed admissions in the suit brought against them by Clark & Henry to recover the amount of a subsidy guaranteed them for dredging Pearl Harbor by Oahu Sugar Co. and Ewa Plantation Co., of which defendants are respectively the agents.

They admit that Lieut. Col. W. H. Hener, Corps of Engineers, U. S. Army, being authorized by the U. S. War Department to arrange by contract for the dredging of the entrance into Pearl Harbor, advertised for proposals therefor in the manner shown in exhibits attached.

They further admit that the bid of Clark & Henry for such dredging was accepted, and that Clark & Henry on July 16, 1901, entered into the contract and performed the contract to the satisfaction and acceptance of the United States Government.

It is admitted that the channel was dredged, as a result of Clark & Henry's work under the contract, to a width of 200 feet and a depth of 30 feet, and that Clark & Henry were paid by the Government for the performance of their contract.

Defendants admit that Lawrence Thompson, civil engineer, was the inspector who inspected said channel and reported upon its condition after the completion of said dredging, and prepared a map or chart of the dredged channel which was deposited at the Naval Station in Honolulu, of which chart a blue print copy is attached as an exhibit to the admissions.

KONA COMPLICATIONS.

Henry Waterhouse Trust Co., Ltd., and Robert W. Shingle separately demur to the complaint of Robert L. Colburn against Clinton J. Hutchins and themselves. Castle & Withington are their attorneys. The ground of each demurrer is that the complaint is insufficient in law.

In the same matter a stipulation is filed by the attorneys mentioned above, C. W. Ashford for plaintiff and Cathcart & Milverton for Hutchins, so as to permit the defendant Henry Waterhouse Trust Company to pay to Kinney, McClanahan & Cooper \$100,000, the damages and interest allowed to Wm. W. Bierce, Ltd., in its suit against Clinton J. Hutchins, trustee, for which execution has been ordered issued by the First Circuit Court. This stipulation is made without the waiving of any rights, Hutchins permitting the payment of judgment only in pursuance of the execution.

DEATH DAMAGES ASSET.

Judge De Bolt appointed C. K. Ai administrator of the estate of Chang Yee Tong, under bond of \$200. This is the value of the personal property, besides which the estate consists of a cause of action for the death of deceased by wrongful act of the Mutual Telephone Co. and the Honolulu Rapid Transit and Land Co. Chang Yee Tong was killed by a live wire in a mixup of electrical conductors on King street.

DIVORCE.

Judge De Bolt granted a divorce to G. M. Kaona against Rosalia Kahon on the ground of desertion. C. F. Peterson represented the libellant, who was also present in person. The deserting wife made no appearance, either personally or by counsel.

BURNS AND CUTS.—Slight injuries of this character are of frequent occurrence in almost every household. While they are not dangerous, except when blood poisoning results from the injury, they are often quite painful and annoying. They can be quickly healed by applying Chamberlain's Pain Balm. It allays the pain almost instantly and heals the injured parts without matter being formed, which insures a cure in one-third the time that the usual treatment would require. It is the most perfect preparation in use for burns, scalds, cuts, bruises and like injuries. It should be applied with a feather, and before the parts become swollen if possible. For sale by All Dealers. Benson, Smith & Co., Ltd., Agents for Hawaii.

HAWAIIAN COMMERCIAL NETTED LAST YEAR \$668,648.88

The report of the Hawaiian Commercial and Sugar Company was received in the mail last night. Following are the contents of pages 15 and 16:

SUMMARY OF SUGAR ACCOUNT.

For Crop of 1903.

Gross earnings from 1903.....\$2,055,390.98

2445 tons of Sugar.....\$1,886,742.10

Gross Marketing Expenses.....\$187,659.11

Net Returns.....\$688,648.88

Gross Amount received per ton.....\$ 70.61

Marketing Expenses per ton.....10.44

Net Amount received per ton.....\$ 60.17

Division of SUGARA.

Hawaiian Com. & Sugar Co.....\$1,901,297.54

Kihul Plantation Co.....\$ 525.00

7705 tons.....\$ 462,876.41

Total Crop, 26,124.7245 tons

Amount.....\$2,174,614.65

HOW NEUMANN CAME TO HIS DEATH

Story of Disaster On Battleship Missouri.

PENSACOLA, (Fla.), April 12.—The most appalling disaster in the history of the American Navy since the blowing up of the Maine in Havana harbor in 1898 occurred on board the first-class battleship Missouri here today, when 2000 pounds of smokeless powder exploded, killing twenty-nine officers and men outright and injuring five more, two of whom will die. The dead are as follows:

Lieutenant W. C. Davidson.
Lieutenant (junior grade) E. A. Welch.
Lieutenant of Marines J. V. P. Gridley.
Midshipman W. E. L. Neumann.
Midshipman Thomas Ward Jr.
Coastwain J. Bloxopolus.
Boatwain's Mate (first-class) G. K. Peterson.
Seaman W. J. Bogard, O. N. Soder, Ralph H. Allison, Ordinary Seaman C. Rice, K. J. Kivlen, J. Gedrie, J. F. Kennedy, J. P. Starr, J. C. Nunn, H. W. Franks, Landmen H. S. Cherbarth, E. J. Mulligan, J. M. Roche, Electrician (second class), T. F. Rowlands, Gunner's Mate (second class) A. Smith, Chief Gun Captain T. E. Belam, Private Marine W. L. Shipman, Apprentice (second class) G. C. Hardy, P. R. Oastler, C. H. Tobin and J. W. Cole.

The two men fatally injured are J. T. J. Donnelly, an ordinary seaman, and O. B. Moe, an apprentice (second class).

The accident happened about noon, while the Missouri, Captain William S. Cowles commanding, was going through her first regular target practice on the range about fifteen miles distant from the naval station here. She was accompanied by the Texas and Brooklyn.

As only one man of the twenty-five who composed the crews of the turret and handling-room survives, the exact cause of the disaster can only be conjectured. It is believed that the gun pointer accidentally fired the fourth shot of his string from the starboard gun in the after turret before the breech was locked. This was blown open by the explosion of the powder, filling the turret with flaming gases and hurling the blazing powder into the handling-room below, where four other charges of powder, weighing nearly 400 pounds each, also ignited.

All that is known is that the first gun pointer in the after turret had fired his string and the second pointer had fired the third shot of his string just before the accident. The open breech of the gun and the explosion of the powder with such terribly fatal result, leave little room for imagination, there being but the one theory—failure to lock the breech in the anxiety to make a record for quick firing.

An instant after the two explosions in the turret and handling-room fire quarters were sounded, and every man of the crew responded, the magazine and handling-rooms being flooded with water.

In less than five seconds two streams of water were being played in the rooms, and when volunteers were called for every man responded, eager to go to the rescue of their comrades in the turret.

Captain Cowles issued his commands, and but for his presence of mind and that of his officers the Missouri must have been lost. The second explosion occurred near one of the magazines, and so hot was the fire that the brass work of the magazines was melted.

Leading the rescuing party was Captain Cowles. The officers endeavored to keep him from going below, as men were falling unconscious as they entered and had to be pulled out again by their comrades, but, unheeding their advice, the commanding officer rushed below, followed by Lieutenant Hamner, the ordnance officer, and Lieutenant Clelland David.

Captain Cowles caught up a dying bluejacket and staggered to the deck with him. The bluejacket, with two others from the handling-room, had crawled partly from their place of duty when they had been overcome.

Before the fumes of the burning powder had left the turret officers and men were laying out the dead and dying men. Three minutes after the explosion all were on deck, and the surgeons from the Missouri, Texas and Brooklyn were attending to the injured. The twenty-five men of the turret were found lying in a heap. They had started for the exit when the first explosion occurred, and had just reached there, when the more terrible explosion in the handling-room burned and strangled them to death.

Lieutenant Davidson, the officer in charge of the turret, evidently had given some command to the men, as he was on top of the heap of men, having fallen there after he had allowed them to pass him to get out of the turret. The bodies were hardly recognizable, the terrible and quick fire having burned the clothing from their bodies.

and the flesh hung from them in shreds. Their faces were mutilated by the smoke and flames. Only one man was breathing when the turret crew was rescued, and he died a moment after he reached the deck.

News of the disaster was conveyed to the commandant at Pensacola by wireless telegraph from the Missouri, and thence by him transmitted to Washington, while the battleship was steaming back to port with the dead lying on the deck.

The account of the accident which reached Washington was contained in the following official dispatch:

"Five officers and twenty-four men are dead. Two more cannot live, as a result of the explosion on the Missouri. Three rounds had been fired from the after twelve-inch gun, and a shell had been sealed and two sections of powder rammed home when the explosion occurred, killing every officer and man in the turret and all but three in the handling-room. The commanding officer has informed relatives."

The entire Navy Department is stunned by the appalling catastrophe. The bureau of navigation has been active since the first news of the accident reached here, shortly after 4 o'clock. Although the commanding officer of the Missouri, Captain W. S. Cowles, as soon as he arrived at Pensacola, sent dispatches to the nearest of kin of the men killed, the department is also sending out these announcements so that there may be no mistake.

Captain John E. Pillsbury, assistant chief of the bureau of navigation, remained constantly at his desk, and, with the other officers of the bureau and a clerical force, started arrangements to care for the bodies of the officers and men. Secretary Moody is preparing a dispatch of sympathy to be sent to Rear Admiral Barker, commander in chief of the North Atlantic fleet, requesting him to convey to the commandant, the officers and men of the Missouri the profound sympathy of the department.

With only the brief dispatch from Admiral Barker telling how the accident occurred, all the officials of the department, from Secretary Moody down, hesitate to attempt an explanation of it.

It can be stated that officials of the department for more than a week past, while rejoicing in the world-breaking records in target practice on our war ships, have feared just such an accident as has occurred on the Missouri.

A naval expert tonight said: "The Missouri accident is too appalling to discuss. But I fear that enthusiasm in making world records has led us past the danger line. Our anxiety to surpass the world in the rapidity of our target practice has led us to permit our enthusiasm to get the better of our judgment. How narrowly the entire ship escaped destruction outright is realized when it is recalled that near the handling-room is a magazine containing anywhere from 50 to 100 charges."

The Missouri is the very latest of the big battle-ships to go into commission. The flag was hoisted on her in December last at Norfolk by Captain Cowles, a brother-in-law of President Roosevelt. She collided with the Illinois off Pensacola a few weeks ago, and has had very little firing with her big guns; in fact, the nine or ten rounds which had been fired from each gun was in the course of official trials, and she was going through her first regular target practice when the disaster occurred.

The smokeless powder is put into the twelve-inch gun in three sections, each bag or section weighing 120 pounds. Some officers say that the turrets of the Missouri had no bottoms and express the opinion that after this accident the turrets of all battle-ships will be equipped with bottoms for the protection of the men in the handling-room underneath.

If Both Sides Should Disarm.

If both belligerents in the present war should agree to throw away their arms and trust simply to nature's weapons, which would win? Some may think and say at once that the advantage would be with the big, burly Russian, well seasoned to hardship. But would it? The Japs are small people; but they are about as hardy and athletic a race as lives today. From childhood they are trained to bear burdens and to open-air life. They are plain livers, knowing little or nothing of dyspepsia or heart troubles. More than that, they are trained athletes. Their lungs have been expanded by systematic deep breathing. Their muscles have been enlarged and strengthened by careful development. Their judicious movements have given them an aptness, skill and power in grappling which are more than a match for big, strong men not skilled in those exercises. So, if the two armies could meet without guns or other arms and go in for a grand wrestling and boxing match the chances would favor the victory of the little brown men of Japan.

Thetis on Way.

The United States revenue cutter Thetis, Captain Hamlet, sailed from San Francisco for Honolulu on April 9, where she will remain several months. From Honolulu she will proceed north and make her regular cruises in Alaskan waters. The Thetis formerly belonged to the navy and in spite of her age is one of the stoutest vessels firing the flag of the Treasury Department. She has the most comfortable quarters of any cutter in the revenue service.

BEFORE YOU START on a journey, procure a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy. This may save you much trouble and annoyance as it can not be bought on board the cars or steamship. For all forms of stomach and bowel troubles this remedy has no equal. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

THE HAWAIIAN FORESTS AND HOW TO SAVE THEM

The Hawaiian Forester and Agriculturist prints in full the report of Wm. L. Hall on the forests of the Hawaiian Islands. Following are some extracts:

LIMITS OF THE ORIGINAL FOREST.

Originally the forests were limited only by such natural conditions as lack of rainfall, elevation and lava flows.

The northeast trade winds keep the windward mountain slopes saturated by frequent rains during the greater part of the year, and on these slopes, at elevations of 1,500 to 3,000 feet, where the rainfall is greatest, is found the heaviest forest. Towards regions of lessened exposure to trade winds and decreased rainfall the forest becomes thinner and of poorer quality, and on leeward, where the rainfall is in places less than 30 or 40 inches per year, there is often no forest at all. Probably the area which originally bore no forest because of insufficient rainfall was quite large, for it is certain that all of the important islands now have large tracts to which no trees of the native forest are adapted.

Elevation has put a sharp limit to the forest on the islands of Hawaii and Maui at from 6,000 to 8,000 feet. This leaves very large areas of Mauna Loa, Mauna Kea, Hualalai and Haleakala devoid of forest, and they have always been so. The mountains of the other islands, begin, under 6,000 feet, are forested to their summits. Six to eight thousand feet is a surprising low timber line, considering the favorable conditions of soil, moisture and temperature which prevail at that altitude in Hawaii.

The sufficient reason seems to be that the species composing the native forests are all representatives of the torrid zone, and in these islands, which lie right at the edge of the tropics, their limit at the low altitude named.

On the slopes of Mauna Loa, lava flows have put a sharp limit to the forest in a number of places. The flow of 1883, which ran from near the top of the mountain almost to the sea, cut a wide swath through a dense forest for fully fifteen miles. Many previous flows had resulted similarly, and while the forest is slowly replacing itself on the older flows, hundreds of years are required for the lava to decompose sufficiently to support a normal growth of forest. Many thousands of acres which once must have been well forested are now surfaced with lava rock (pahoehoe), and support only a meager growth of fern and stunted trees. Slowly this rock is decomposing, and as it decomposes the forest improves.

RAPID DECADENCE OF THE FOREST.

The above were the chief agencies restricting the forest up to about 100 years ago. Since that time various deleterious agents have worked so effectively toward the destruction of the woodland that every forest in the islands has been reduced until now it is only a fragment of what it was originally. The Island of Molokai well illustrates this point. This island, 38 miles long by 8 miles wide, has a range of mountains over 4,000 feet high at its eastern end, drops to a low plain in the center and rises to 1,350 feet near the western end. Originally all the eastern end well down to the central plain, and the highest part of the western end, were heavily forested. The plain was park-like, with scattering groves of trees. There is little at present even to indicate former conditions. All the western end is bare. The trees are gone from the plain, and also from the western and southern slopes of the mountains at the eastern end. Only a few thousand acres of the highest south slopes and the precipitous north slopes of the mountain are now covered by growing forest. Stretching around the living forest is a wide belt of leafless timber, which has died within the last decade, but has not yet fallen.

Each of the other islands exhibit just the same conditions. More marked examples of declining forests can scarcely be imagined than exist in the districts of Hamakua and Kohala in Hawaii, and Kula in Maui, in which one may pass through thousands of acres of totally dead forest into equal areas in a dying condition, and from these into the small remnant that yet remains thrifty.

No estimate can be given of the ratio of the present forest to that of a century ago. The former area is unknown, and the present forests are so inaccessible and so irregular in shape that a safe estimate cannot be made without much further study. But it is certain that the present area, which may not be more than 20 per cent of the islands, is but a small part of what existed at that time. This result has been brought about by perfectly evident causes working unremittingly, year by year.

CAUSES OF DECLINE.

The principal causes which have brought about the destruction of the forests are stock, insects, grasses, fire and clearing.

Stock.—Cattle were introduced into the islands late in the 18th century. They were turned out to run at large, and strict laws prohibited their slaughter for a number of years. Under these favorable conditions they had increased to such numbers by 1815 as to be a menace to the forest. Their slaughter was no longer forbidden, but they continued to multiply rapidly. By 1850 boiling plants had been put up in several places for the extraction of tallow, that being the only portion of the animal having any value. These plants were in continuous use until the seventies, and indicate the great numbers of cattle which must have existed during that time. Only within the last few years have cattle been reduced in number to conform to the demands of the islands, and placed within fenced pastures. Numbers of wild cattle still run at large in the various forests, although many have been driven out of the Parker Ranch on Hawaii, estimates

the number of wild cattle on Mauna Kea to be 10,000.

That cattle did the first serious damage to the forest can scarcely be doubted, when one considers their great numbers and the extent of the forest. At a very early day they must have gone through all the accessible parts. The more inaccessible and impenetrable parts remained intact till later, for cattle could only work around the edges of these, entering a little further each year. But now in many instances they have gone through the entire forest.

The character of the Hawaiian forest makes it peculiarly susceptible to injury by cattle. The tender, succulent undergrowth is easily trampled down, and much of it, especially le-le, banana and some of the ferns, is excellent food for stock. Yet this undergrowth is a vital part of the forest; without it the ground dries quickly, and the shallow-rooted trees soon die.

Goats were introduced into the islands many years ago, and have been particularly active agents of destruction. They are now found on all the important islands. Their work, though localized, is more thoroughly destructive than the work of cattle. Ridges where they rendezvous may be distinguished for miles by their utter barrenness and eroded condition. Goats are especially hard on precipitous slopes. They will lay completely bare places so steep as to be shunned altogether by cattle.

Wild pigs, the progeny of stock introduced years ago, have done some damage on all the islands. They tear up the tree fern, seeking its roots for food.

Deer, brought to Molokai in the early sixties, have taken their share in the destructive work. Several years ago they had increased to such immense numbers as to damage the forest considerably by browsing on and trampling down the undergrowth and rubbing the bark from the young trees.

Insects.—Following the attack of stock have come other agents of destruction. Injurious insects have at times appeared in numbers sufficient to destroy thousands of acres at a time. Ohia-ai, which grows in dense stands in low, wet valleys, was so completely defoliated a few years ago as to be almost ruined. Koa is periodically defoliated. It has upwards of a dozen insect enemies which threaten its utter extinction. Borers are even more common than leaf-eating insects. In nearly all cases insects have been most severe where the forest was elevated by grazing. Portions of the ungrazed forest have at times been destroyed by insects, but only in consequence of the headway gained on near-by areas which have suffered by grazing.

Grasses.—Many thousands of acres of forest land despoiled by cattle have been overrun by rank-growing grasses which have rendered conditions prohibitive of forest reproductions. Probably the worst of these is Hilo grass (Paspalum conjugatum), which grows 2 to 3 feet high, in the rainy districts and forms a dense mat several inches thick over the surface of the ground. Tree seeds cannot germinate beneath it. Another coarse grass of similar habits is the so-called rice grass (Mauke). But it is neither so common nor so prohibitive of reproduction as Hilo grass.

In drier districts Germuda grass (Mannieria) obtains such a hold as to prevent forest reproduction and even hinder tree growth. Some of the forests of Hamakua and Kohala in Hawaii have died from no other apparent cause than a predominant growth of this grass.

Fire.—Fire has done far more injury in Hawaiian forests than would be supposed in regions of so great rainfall. The most serious fire within recent years occurred two years ago in southern Hamakua. It burned an area fifteen miles long and two to four miles wide, leaving unburned only occasional patches. Trees, undergrowth and humus were generally completely destroyed. The forest was a normal one for the islands, consisting of a fairly heavy growth of Lehua and Koa, with a deep accumulation of humus. Ordinarily this forest could not have been burned, but a severe drought prevailing for several months previously had dried it out to the point where it burned with great rapidity. At the present time the land is covered with fallen trees and debris, and in places a growth of weeds. But little reproduction has as yet taken place, and as practically all seeds and seed trees on the area were burned, there is no possibility of immediate reproduction. Whatever growth comes up on the land must come from seeds carried in from other places.

Other forest districts, particularly on Kauai and Maui, have also suffered from fire, though there have been no other recent burns so severe as the one mentioned above.

There is distinct evidence of a severe fire upwards of fifty years ago in the southern part of Hamakua. This fire burned over a tract of large, though unknown, extent. It killed practically all the forest and undergrowth, and consumed the humus. Its heat must have been intense, for it baked the soil to such an extent that at the present time it shows as a brick-like layer from 2 to 6 inches thick. In many cases it burned the roots of trees several feet below the surface. The forest which has come up on the ground following this fire, though composed of the same species as the ordinary Hawaiian forest, differs from it distinctly in conditions and requirements. The trees have grown slowly, and have less than the usual amount of undergrowth, but they have far greater power than the normal forest to withstand grazing.

Cutting.—The forest has been considerably reduced by cutting. Destructive cutting began by the removal of Sandalwood in the early part of the 19th century, and has continued intermittently till the present time. The Sandalwood and Koa, the main species of the native timber have been cut and poles. Large quantities of native

timber have been used for fuel in the past, but the demand is now very largely supplied by the Algaroba. Most of the sugar mills, which have been large consumers of native wood, have now turned to other kinds of fuel. Some use coal, some oil, and some the tallings of the cane (bagasse). In southern Hamakua and Hilo, in Hawaii, a few of the mills are still consuming a large amount of native wood, and two or three, with surprising lack of foresight, are cutting away the timber which lies just above their plantations and upon which probably their water supply largely depends.

THE RUSSIAN DISASTER TOLD

(Continued from page 2.)

held at Grand Duke Vladimir's palace, in which thanks were returned to the Almighty for the sparing of the life of Grand Duke Cyril, but the Emperor was so overwhelmed with grief at the death of Vice-Admiral Makaroff that neither he nor the Empress attended the service. Instead the Emperor sent a member of his personal staff to break the sad news to Vice-Admiral Makaroff's widow, who is living in St. Petersburg.

Meantime the city was filled with the wildest rumors, but the official dispatches were so meager and private dispatches so conflicting regarding what had occurred that the public was kept in suspense for six hours. Then, although the report was incomplete, dispatches were posted on the Nevsky Prospect and other war bulletin boards. The grief of the crowds, whose worst fears were thus officially confirmed, was touching. The Ministry of Marine was soon surrounded by thousands of persons eagerly asking for more details. In the crowd of inquirers were the stricken relatives of those who were on board the sunk battle-ship. What occurred prior to the blowing up of the flagship was only vaguely known, except that Admiral Makaroff, with his flag flying on the doomed vessel, sailed out to engage the enemy until his reinforcements appeared.

It is thought possible that Vice-Admiral Togo planned an ambush by sending in a small squadron in the hope of drawing out the Russian commander to the open and then cutting off his escape.

The location of six mines planted by the Yencsei was unknown, the charts having been lost when that vessel went down. Probably it was one of these mines that the battle-ship struck.

Makaroff is believed to have been in the conning tower when the Petrovlovsk was blown up. Grand Duke Cyril probably owes his life to the fact that he is a fine athlete and a splendid swimmer. Count Grabbe, aid-de-camp to Grand Duke Vladimir, will leave tomorrow to bring Grand Duke Cyril home. Nothing is known of the character of the Grand Duke's injuries.

There is a romantic story connected with Grand Duke Cyril's anxiety to go to the front. He wanted to win his spurs and then marry the woman with whom he is very much in love. The match was opposed by his parents. It is an open secret that the Grand Duke's lady love is his cousin, the divorced wife of the Grand Duke of Hesse and a daughter of the late Duke of Saxe-Coburg and Gotha, who married a sister to Alexander III.

JAPANESE OFFICER'S TREACHERY.

LONDON, April 6.—The correspondent of the Chronicle at Shanghai sends the following: A Japanese correspondent states that the Japanese plan of campaign has been changed because it was disclosed to the Russians by a Japanese officer, who is now waiting trial. This act of treachery was discovered by the Japanese finding that a place was thoroughly mined where they intended making the first landing of troops. The discovery has caused a great scandal. The utmost efforts are being made to keep secret the fact that national honor has been greatly tarnished. The Russians are apparently prepared to pay large sums for information concerning the movements of the Japanese army. They bought one Japanese map, it is said, for £40,000 sterling.

The Tokio and Osaka divisions, which have been recently mobilized, are destined to besiege Port Arthur. The commander of 5000 bandits northwest of Newchwang has told a British officer that he is preparing to destroy the railway immediately the Japanese land.

Diamonds in Storage.

"There are thousands of millions of dollars' worth of diamonds stored in the deep depths, or underground safety deposit vaults at the Kimberley mines in South Africa," said J. H. Mortimer, of Chicago, the other day. Mr. Mortimer was a British soldier in the war with the Boers in 1881, and became intimately acquainted with the conditions there. "The natives go down deep into the mines and bring up the clay-like earth, which is spread in the sun and dried into a scaly brittle material. This is examined very closely for the precious stones, which are picked out. They are nothing but rough looking pebbles, and their value cannot be estimated until they are polished. But the pebbles are not polished at once. They are packed up and sent down into the bowels of the earth again. The mine owners will not allow them to be sold as the market would be flooded and the price would go down so that there would be no profit in the gems. Instead they are stored in big vaults, and brought up a few at a time, as the market conditions demand. As I said, there are thousands of millions of dollars' worth of diamonds in storage."



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(THE STANDARD AMMONIATE) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use.

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Ship Tillis E. Starbuck sailing from New York to Honolulu March 1st. FREIGHT TAKEN AT LOWEST RATES. For Freight Rates apply to CHAS. BREWER & CO., 77 Kilby St., Boston, Or C. BREWER & CO., Ltd., Honolulu.

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The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of F. A. SCHAEFER & CO., Agents.

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WEST INDIA SUGAR BUSINESS IS STILL IN A BAD WAY

**The Brussels Convention Has Not Helped and
the Sugar Plantations Are Being
Abandoned.**

G. D. Gilman, of Boston, has been spending the winter in Jamaica, and, as usual has kept his eyes open for anything of interest to Hawaii. He has sent the Advertiser a number of clippings from the Jamaica newspapers, relating to the sugar industry. The industry has been in a demoralized state for some years. The high duty imposed by the United States leaves little or no profit on sugar sold there while the high export bounties heretofore paid by European countries has enabled them to export at cost and even less, and compete destructively with the West Indies in the free market of England.

THE BRUSSELS CONVENTION.

Two years ago the beet sugar producing countries of Europe, with the exception of Russia, joined in the "Brussels Convention," by which they agreed to discontinue paying bounties.

This convention went into effect last September. It was expected that the effect of this convention would be to lower the price of sugar in the bounty paying countries, and raise it in England. The lowering of the price on continental Europe was expected to decrease the output, as many sections of Europe cannot produce beets at a profit without a supporting bounty. It was also expected that a secondary effect would be an increase of consumption, as the peasants who could not buy sugar at 9c. a lb. could afford to do so at 5c. a lb.

The expected results have been partially realized. The estimated European output of beet sugar for this year is several hundred thousand tons less than last year; the retail price of sugar has dropped in Germany from approximately 9c. to 5c. a lb. and the consumption has largely increased. The other principal expectation—that the price of raw sugar in England would rise—has not, as yet, taken place.

The effect of the convention upon sugar raised in the British West Indies, has not, therefore, been marked by any improvement.

PARLIAMENTARY DEBATE ON THE CONVENTION.

The Jamaica Daily Telegraph comments somewhat sarcastically upon a recent speech by the Duke of Marlborough, under Secretary of State for the Colonies, wherein he stated that: "Since the sugar convention has come into operation more sugar has come from the West Indies into England, from last September to the present time, than during the same months of any previous year."

This statement is compared with late debates in the British Parliament in which the statement was made by one member that "the Convention has failed to confer the anticipated benefits on the West Indies, that so far from rehabilitating the trade of the West Indies, the convention has had the contrary effect." During the debate Mr. Winston Churchill stated that "the importation of sugar from the West Indies during the period covered by the convention had fallen off in value and tonnage; that in fact there had been a collapse in the West Indian trade." The Telegraph indulges in the reflection that the newspaper is not the only one who knows things which are not so.

THE REAL SITUATION IN JAMAICA.

Regardless of the theorists in London the Telegraph states that: "Several sugar estates in the Trelawny district are about to be shut down. It shows that up to the present, the abolition of the continental bounty system has done the sugar industry of Jamaica absolutely no good; and it also shows that, in the opinion of some people who are well qualified to judge on such a matter, the Brussels convention is not calculated to do the local sugar industry any good whatsoever. If the proprietors of the estates which are to be abandoned, really believed in the future of the sugar trade, they would clearly continue the struggle against misfortune, which they have been waging for so many years, and their decision to shut down and perhaps to go in for banana cultivation—conclusively proves that they have lost all hope—that, in their opinion, sugar is bound to go to the wall, despite the abolition of the continental bounties."

BANANAS DO NOT TAKE PLACE OF SUGAR.

We are sorry to have to write in this way. Banana cultivation may be all very good. It certainly has proved a boon and a blessing to the landowners of this island. But it will never take the place of cane cultivation, or be to the mass of the population what the sugar industry was. As everybody knows, a sugar estate employed more laborers and more artisans than a banana plantation of the same size does. And the benefit of the sugar industry to the colony did not end there; for it acted as a powerful stimulus to the cattle breeding industry, which banana cultivation certainly is not. If, in addition to these considerations, it is remembered that bananas are an infinitely more precarious crop than cane—that a hurricane which would level every banana tree in Jamaica to the ground, would pass over sugar estates and do little or no damage—one can realize the immensity of the loss which Jamaica will sustain if the sugar industry is given up altogether."

KAIWI MUST EXPLAIN DISAPPEARANCE OF GOLD COIN

Unable to account for the disappearance of a bag of gold coin containing \$1,000, belonging to the estate of Kuanani, Kaiwi, an old Hawaiian, was yesterday afternoon ordered into the custody of the High Sheriff by Judge Robinson.

An examination was being made into the estate of Kuanani, a Hawaiian woman, who died in February. Her home was on Vineyard street, where Kaiwi also lived.

It developed during the hearing that after the death of the deceased a bag of gold coin had been seen in a trunk belonging to Kuanani. The money, amounting to about \$1,000.00 had disappeared when the executor of the estate was called to collect the assets. Kaiwi was called as a witness in the case and admitted having seen the money after the death of the woman. Several other persons were present when the gold coin was taken out of the trunk, and Kaiwi testified that one of these people had taken away \$600 and deposited it in the bank. The funeral of the woman had also cost \$200. Kaiwi said he knew nothing about the remainder, but that he had received none of it. Judge Robinson finally ordered the man into the custody of Bailiff Quinn to have his case investigated by the grand jury. Kaiwi was turned over to the police and lodged in jail to await action by the grand jury.

ASK HELP FOR SHIPS

Builders and Traders Assist Merchant Marine.

At the meeting of the Builders and Traders last evening a communication from the Chamber of Commerce of New York, asking for assistance from Hawaii in securing a Congressional Commission to investigate the Merchant Marine was read. Upon motion of Mr. L. E. Pinkham the following resolutions were unanimously adopted:

Whereas, For years the Hawaiian Islands have been visited by an enormous tonnage under the flags of various nations.

Whereas, It is a locally well known fact American seamen are paid larger wages; are recipients of better rations and are given better quarters than those of other nations with scarce an exception.

Whereas, It is our opinion from facts and observation that the American Marine is handicapped by subsidies, standards of living and general superior construction of the rights of seamen.

Resolved, That we endorse the movement of the New York Board of Trade and Transportation to secure Congressional Investigation of the State of and measures necessary to revive and develop the American Marine.

Resolved, That a copy of these Resolutions be forwarded to Aaron Vanderbilt, chairman, and other copies be forwarded to the Hawaiian Delegate to Congress, the Hon. J. K. Kaulanialoe.

Whereas, an expression of the opinion of the Builders and Traders' Exchange on the subject of the means necessary to develop the American Merchant Marine and the providing by Congress of a National Commission to investigate the subject has been requested by the New York Board of Trade and Transportation.

Whereas, Honolulu and other ports of the Hawaiian Islands, said islands having a population of only 130,000 souls, ship annually in American bottoms some 450,000 tons of sugar and other additional tonnage, which tonnage is becoming scarce and difficult to obtain.

Whereas, The vessels of other nations particularly those of France under the system of subsidies in force by the laws of that country are enabled to and frequently do enter the ports of the Hawaiian Islands at a profit to themselves, although obliged to leave the islands in ballast, thereby shutting out American tonnage, and illustrating thereby the disadvantages under which American bottoms labor.

THE EXORCISING PAIN from corns, bunions, or chilblains may be avoided by a free application of Chamberlain's Pain Balm. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Captain Niblack, U. S. N., Assistant Lighthouse Inspector, is expecting a large amount of lighthouse supplies, which will include new lights. The U. S. S. Supply will probably bring the stuff here.

For the Skin

You cannot have a clear and smooth skin unless the blood is pure. Blisters, eruptions, rashes, pimples, all show how impure the blood must be. Get all impurities out of your blood before you are seriously ill.



Miss Dorothy Maher of Watery Victoria, sends her photograph and the letter: "I had a terrible eruption on my face, which was of a very irritating nature. I tried many blood medicines but without relief. Friends told me to try Ayer's Sarsaparilla, so it was a most famous blood remedy. I did so, and after taking only one bottle I began to see a great change. In fact, the third bottle was used the eruption had entirely disappeared, and without leaving a mark on my face. I am perfectly well now and love it all to this great blood purifying remedy."

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FORECLOSURES

NOTICE OF INTENTION TO SELL AND OF FORECLOSURE

now held by the Western & Hawaiian Investment Co., Ltd., as assignee, notice is hereby given that the mortgagee intends to foreclose the same for non-payment of interest and principal. Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised by posting for sale at public auction, at the auction rooms of James F. Morgan, in Honolulu, on Saturday, the 14th day of May, 1906, at 12 noon of said day. Further particulars can be had of Castle & Withington, attorneys for mortgagee.

Dated Honolulu, April 12th, 1906.

WESTERN & HAWAIIAN INVESTMENT CO., LTD.

Mortgagee.

The premises covered by said mortgage consist of two lots in Kamaele, in Honolulu, Oahu, described in said mortgage as Lots 5 and 6 upon a map of a sub-division of Apana 1 of Royal Patent 1985 on L. O. Award 6245 to Kaloekel, said lots have a joint front of 90 feet and a depth of 73.9 feet one side and of 70.7 feet on the other. Also the buildings on said premises standing, the whole making an unusually fine piece of property.

2581—Apr. 15, 22, 29 May 6, 13.

KAHAKUMAKA HALUALANI.

Under and by virtue of the power of sale contained in that certain mortgage, dated April 16, 1902, made by and between Laura Kahakumaka Halualani (a widow), of Kalasoa, District of Ewa, Island of Oahu, Territory of Hawaii, mortgagee, to Claus Spreckels, of San Francisco, State of California, and William G. Irwin, of Honolulu, Island of Oahu aforesaid, doing business in Honolulu as copartners under the firm name of Claus Spreckels & Company, mortgagees, and of record in the Hawaiian Registry of Conveyances in Liber 236 on pages 221-224 and pursuant to Chapter XXXIII of the Session Laws of 1894, entitled "An Act to provide for the sale of mortgaged property without Suit and Decree of Sale" and the Act (Chapter IX, of the Session Laws of 1890) amending same, the said mortgagees hereby give notice that they intend to foreclose the said mortgage for condition broken, to-wit: the non-payment of the principal and interest of a certain promissory note referred to and secured by said mortgage, when due.

Notice is hereby likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 14th day of May, 1906, at 12 o'clock noon.

The property conveyed by the said mortgage consists of: All those certain pieces of land situated in Kalasoa, District of Ewa, Island of Oahu, Territory of Hawaii, described as follows, to-wit:

(1) Land at Kalasoa described in Land Commission Award No. 6104 on which Royal Patent No. 747 was issued to Mahalia. Area, 2 26-1000 acres.

(2) Two lots at Kalasoa described in Land Commission Award No. 9400 on which Royal Patent No. 449 was issued to Hilo for Kaalo. Area, 1 545-1000 acres.

(3) Land at Waimalu described in Land Commission Award No. 9316 on which Royal Patent No. 3704 was issued to Maika. Area, 878-1000 of an acre.

(4) Two lots at Waimalu described in Land Commission Award No. 9315 on which Royal Patent No. 886 was issued to Haki. Apana No. 1, area, 1 426-1000 acres; Apana No. 2, area, 142-1000 of an acre. Total area, 1 568-1000 acres.

(5) That lot of land at Waimalu, described in Land Commission Award No. 9325 on which Royal Patent No. 7100 was issued to Kamaela. Area, 553-1000 of an acre.

(6) Two lots of land at Mamuku, Hawaii, described in Land Commission Award No. 2057, on which Royal Patent No. 456 was issued to Keawe I. Apana No. 1, area, 315-1000 of an acre; Apana No. 2, area, 154-1000 of an acre. Total area, 469-1000 of an acre.

Also all of interest in (7) Those three pieces of land in Halawa, described in Land Commission Award No. 2044, issued to Kaupali. Apana No. 1, area, 385-1000 of an acre; Apana No. 2, area, 508-1000 of an acre; Apana No. 3, area, 144-1000 of an acre. Total area, 1,038 acres. Grand total area, 7,871 acres. Together with all buildings, improvements, rights, privileges, easements and appurtenances to the same belonging or appertaining.

Said lands are encumbered as follows: (1) A portion of Land Commission Award No. 6104 leased to Sung Wo Sing Company by lease dated July 24th, 1895, for a term of twenty years from August 1st, 1895, at an annual rental of twenty dollars, and a portion of the land is leased to Ahin under lease dated March 10, 1896, and recorded in Book No. 156, page 423, for a term of twenty years from September 1st, 1898, at an annual rental of eighty dollars; seven years being paid in advance.

(2) The above lands under Land Commission Award No. 9400 are included in the same lease above named.

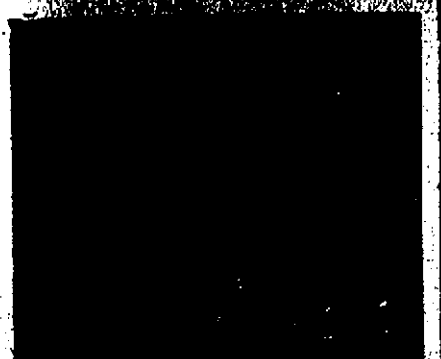
(3) Land described in Land Commission Award No. 9316 is leased to Ye Fong under lease dated October 1st, 1899, recorded in Book No. 157, page 189, for a term of fifteen years from November 1st, 1899, at an annual rental of one hundred and eighty dollars.

(4) Lots described in Land Commission Award No. 9315 are included in the said lease above named.

(5) Lots described in Land Commission Award No. 9325 are included in the said lease.

(6) Lots described in Land Commission Award No. 2057 are included in the said lease above named.

The property is situated in the Hawaiian Islands, and is subject to the laws of the United States.



ARRIVED AT HONOLULU.

Tuesday, April 19.

S. S. Sierra, Houdlette, from Sydney, Auckland, Pago Pago at 8 a. m.

Tuesday, April 19.

Stmr. Lehua, Self, from Molokai ports, at 11:10 p. m.

Wednesday, April 20.

Stmr. Mikahala, Gregory, from Kauai ports, at 6:40 a. m.

Schr. Lady, from Koolau ports, at 3 a. m.

O. S. S. Ventura, Hayward, from San Francisco, at 8:45 p. m.

DEPARTED FROM HONOLULU.

Tuesday, April 19.

S. S. Sierra, Houdlette, for San Francisco at 4:30 p. m.

Schr. Charles Levi Woodbury, Harris, for Puako and Hilo.

Stmr. Helene, Nelson, for Mahukona, Kakaia, Laupahoehoe and Papaaloa at 5 p. m.

Stmr. Claudine, Parker, for Maui ports at 5 p. m.

Stmr. W. G. Hall, S. Thompson, for Kauai ports at 5 p. m.

Stmr. Mauna Loa, Simerson, for Maui, Kona and Kauai ports at noon.

Stmr. Kinau, Freeman, for Hilo and way ports at noon.

Stmr. Maui, Bennett, for Paauhau and Okaia; for Mahukona mail and passengers only, at 5 p. m.

Stmr. Lehua, Self, for Maui, Molokai and Lanai ports, at 5 p. m.

Thursday, April 21.

O. S. S. Ventura, Hayward, for Pago Pago, Auckland and Sydney, at noon.

Stmr. Nihau, for Kauai ports, at 5 p. m.

PASSENGERS.

Arrived.

From Kauai ports, per stmr. Mikahala, April 20.—H. T. Hayes, M. Loung, J. F. Hackfeld, R. M. Isenberger, W. J. Lyon, Hec. Fat, Chung Hung, Miss Rose Aka, Miss Battige, Mrs. L. A. de la Nux and 2 children, W. C. Park, Bah Kai, Yokoyama, Master Yokoyama, Mrs. Takamoto, Master Takamoto and 69 deck.

Departed.

For Maui, Kona and Kau ports, per stmr. Mauna Loa, April 19.—W. Waterhouse, E. Kopke, C. F. Schermerhorn, J. W. Smith, Mrs. C. M. Cooke, Miss J. Johnson, J. A. Kahalea, Dan Kana, John Carvalho, Joe Correa, W. C. Parke, J. H. Craig, M. F. Prosser, C. W. Amford, Miss P. Weibke, Mrs. R. Anderson, L. Tobin, John Milligan, Miss Bishop, G. M. Bence, H. T. Hayes, Miss S. Yonahima, Mrs. Kanimakale, Mrs. H. K. Meemano, Mrs. H. Peterson, M. J. McLeod, wife and son, Mrs. J. F. Janzen.

For Hilo and way ports, per stmr. Kinau, April 19.—Mrs. Mary Alau and girl, W. K. Kealawa, J. B. Kaohi, Miss Longmore, E. A. Fraser, Eben P. Low, H. L. Holstein, Major Purdy, A. Gramberg, C. Savano, Wm. H. Beers, Rev. S. L. Desha, A. H. Jackson, G. P. Tulloch, M. J. Gouveia, Carl E. Smith, A. Fernandez, wife and two children; W. N. Purdy and two children, Mrs. E. Oelhoffen and child, Mrs. C. Kimball, Miss K. Horner, H. M. Kaulho, Chas. H. Fula, H. E. Kelley, John T. Moir, J. H. Mackenzie, Miss G. Dowsett, Miss Campbell, A. W. T. Bottomley, John Watt, E. W. Giddings and son, J. T. Baker, C. Kaler, Miss L. Iaukea, Mrs. Capt. Walana, Miss V. G. Makers, Mrs. Kaina Aka, J. T. Brown, Mrs. E. W. Giddings and daughter, Mrs. J. H. Wise and four children, C. N. Prouty, Theo. Wolf, Frank Winter, Chas. Gay, Fr. Greenwald, R. W. Shingle.

Per stmr. Nihau, April 21, for Kauai ports.—W. H. Rice, and wife, A. Hanneberg, E. A. Knudsen, Laura Kaue, M. O'Brien, Mr. Mackintosh, L. Nakapahu, W. Krauss, W. F. Drake, R. H. Chamberlain, W. A. Kinney, E. Omsted, W. J. Sheldon.

Per O. S. S. Ventura, April 21, for Pago Pago, Auckland and Sydney.—Herbert Ziele, Mr. and Mrs. Wardrop, Kerr and Mrs. Von Burr.

Shipping Notes.

The Ventura sailed for the colonies at two o'clock yesterday.

The Nebraskan has sailed from New York for San Francisco and Honolulu.

The China, which is due from the Orient Monday, will have 400 immigrants aboard.

The Mikahala is laid up for repairs and the Nihau went out on her run to Kauai yesterday afternoon.

The schooner Kallua was wrecked on April 6 near Puget Sound. All hands are believed to have been drowned.

The American schooner Mary E. Foster was reported off port last night. She is twenty days out from Port Blakely.

Seven Japanese will be deported on the Korea today. Five of the rejected ones came over on the Gaelic and the other two on the America Maru.

The Hawaiian will sail from New York for Honolulu on May 10th, the Oregonian on June 1st and the Texan on June 25th. All three vessels go by way of San Francisco.

The American ship Edward Sewall, now at San Francisco, will probably come here for a cargo of sugar. Her capacity is 5500 tons dead weight. She spreads 18,000 yards of canvas.

Captain Pond, who is in command of the U. S. S. Supply, was formerly on the U. S. S. Iroquois, and conducted the negotiations on the part of the United States for the acquisition of the Pearl Harbor lands.

NURSING MOTHERS

"A richer milk than milk" is good food for nursing mothers. Scott's Emulsion is the rich cream of cod liver oil, and contains ten times as much cream as milk does.

The nursing mother must eat with the purpose of producing good, nourishing milk for her baby. A little Scott's Emulsion is often a very wise addition to her daily diet. If through nervousness or weakness her milk is a failure, Scott's Emulsion will help make it a success.

The baby gets the benefit, too, when the mother takes Scott's Emulsion. The same remedy brings new strength and nourishment to both.

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